Gregory P. Goonan (Cal. Bar #119821) The Affinity Law Group APC 5755 Oberlin Drive, Suite 301 San Diego, CA 92121 Tel: 858-750-1615 Fax: 619-243-0088 E-Mail: ggoonan@affinity-law.com Niles R. Sharif, Esq. (Cal. Bar #135864) Law Offices of Niles R. Sharif 5638 Lake Murray Boulevard, Suite 153 La Mesa, CA 91942 Tel: 619-463-9111 Fax: 619-568-3689 E-mail: nrsharif@yahoo.com 8 Attorneys for Defendant, Cross-Defendant and 9 Cross-Complainant Andy Mills 10 UNITED STATES DISTRICT COURT 11 SOUTHERN DISTRICT OF CALIFORNIA 12 13 JOSEPH SHORTAL, et al, Case No. 3:12cv02845-WQH-NLS 14 Plaintiffs. STIPULATION AND JOINT MOTION TO 15 DISMISS CROSS-COMPLAINT BY **DEFENDANT AND CROSS**vs. 16 **COMPLAINANT ANDY MILLS** HESSGEN, INC. et al., AGAINST CROSS-DEFENDANT JACK 17 MOTT Defendants. 18 Complaint Filed: November 28, 2012 >>>>>>>>>>>>>>>>> 19 Trial Date: Not Yet Set And Related Cross-Actions. 20 21 IT IS HEREBY STIPULATED by and between defendant and cross-22 complainant Andy Mills ("Mills") and cross-defendant Jack Mott ("Mott"), through 23 their undersigned counsel of record, that all claims asserted by Mills against Mott in 24 this action be and hereby are dismissed with prejudice pursuant to Rule 41(a)(1) of 25 the Federal Rules of Civil Procedure. Each party will bear its own costs and 26 attorneys' fees. 27 28

JOINT MOTION TO DISMISS CROSS-COMPLAINT BY DEFENDANT AND CROSS-COMPLAINANT ANDY MILLS AGAINST CROSS-DEFENDANT JACK MOTT

1	Based upon and in accordance with the foregoing stipulation, Mills and Mott,
2	through their undersigned counsel of record, hereby jointly move the Court to enter
3	an order of dismissal with prejudice pursuant to Rule 41(a)(1) of the Federal Rules
4	of Civil Procedure of Mills' claims against Mott in this action.
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8	DATED: January 24, 2014 THE AFFINITY LAW GROUP APC
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10	By: Gregory P. Goonan
11	Attorneys for Defendant, Cross-Defendant and Cross-Complainant Andy Mills
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14	DATED: January 24, 2014 HEATH LAW, P.C.
15	DATED: January 24, 2014 HEATH LAW, P.C.
16	By: The DV
17	Steven A. Heath Attorneys for Cross-Defendant
18	Jack Mott
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## **Certificate of Service** 1 The undersigned hereby certifies that on this <u>30</u><sup>th</sup> day of January 2014, a true and accurate copy of the attached document was electronically filed with the Court, to be served by operation of 2 the Court's electronic filing system, upon the following: 3 4 Talin V. Yacoubian Stewart J. Powell 5 Yacoubian & Powell LLP 725 South Figueroa Street, Suite 3800 6 Los Angeles, CA 90017 7 Attorneys for Plaintiffs 8 9 Steven A. Heath Heath Law, P.C. 10 2500 Broadway, Suite F-125 Santa Monica, CA 90404 11 12 Attorneys for Cross-Defendant Jack Mott 13 14 Timothy P. Dillon 15 Christopher J. Beal Dillon & Gerardi, APC 16 5872 Owens Avenue, Suite 200 Carlsbad, CA 92008 17 Attorneys for Cross-Defendant 18 George Malasek 19 20 21 22 23 24 25 26

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1	The attached document was served by United States Mail on the following individuals on January 32 2014:
2 3 4 5	David Rutkoske 2023 St. Anne Drive Allen, TX 75013  Cross-Defendant In Pro Per
6 7 8 9	Brian Hess Hessgen, Inc. 5171 Santa Fe Street, #I San Diego, CA 92109
10 11 12	Defendants/Cross-Complainants/Cross-Defendants In Pro Per
13 14 15 16	
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